

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

LARRY JAMES RAINY
TDCJ-CID #560039

V.

DR. MAXIMILIANO HERRERA, ET AL.

§
§
§
§

C.A. NO. C-06-097

ORDER TO FILE RECORDS

On September 9, 2006, defendants filed their motion for summary judgment. (See D.E. 17).

In support of their motion, defendants offer as Exhibit A, copies of plaintiff's medical records.

According to the affidavit of the records custodian, the records are comprised of 66 pages.

However, the records that were filed with the Court consist of only 26 pages. Most importantly, there are no records for February 6, 2004, the date plaintiff was allegedly attacked by the gang, or for any dates in February 2004, concerning his initial medical treatment.

Accordingly, defendants are hereby ordered to submit **within ten (10) days of the date of entry of this order**, a complete copy of plaintiff's medical records, as attested to by the records custodian, and as relied on and referenced by defendants' expert witness, Dr. Steven A. Mercado. (See D.E. 17, Ex. B).

ORDERED this 30th day of November, 2006.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE